

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

Rev. Dr. ANNE ARMSTRONG

First Plaintiff

and

Rev. Dr. ALAN GORDON

Second Plaintiff

Civil Action No. 16-403

v

PETER KILMARTIN,

in his capacity as Attorney General for Rhode Island and

Providence Plantations,

First Defendant

and

GINA RAIMONDO,

in her capacity as Governor of Rhode Island and Providence)

Plantations

Second Defendant

and

)  
Col. ANN ASUMPICO, )  
in her capacity as Chief Executive )  
Rhode Island State Police )  
Third Defendant )

)  
and )

)  
ASHABEL T. WALL II, )  
in his capacity as Director, Rhode Island Department )  
of Corrections )  
Fourth Defendant )

)  
and )

)  
Maj. KEVIN O'BRIEN, )  
retired Rhode Island State Police (3rd Defendant), and )  
current Compliance Officer, Catholic Diocese of Providence) )  
in his personal capacity )  
Fifth Defendant )

)  
and )

Ofc. JOHN DOE 1, an off-duty police officer )

in his personal capacity )

Sixth Defendant )

)

and )

)

Mr. JOHN DOE 2, )

in his personal capacity )

Seventh Defendant )

)

and )

)

THOMAS C. SLATER COMPASSION CENTER, INC., )

Eighth Defendant )

)

and )

)

WORLDS ONLINE, INC )

Ninth Defendant )

)

and )

)

MARIMED ADVISORS, INC. )

a subsidiary of Worlds Online, Inc (the 9th Defendant) )

Tenth Defendant )

and )

SIGAL CONSULTING, LLC. )

a subsidiary of Worlds Online, Inc. (9<sup>th</sup> Defendant), and a )

subsidiary to Marimed Advisors, Inc. (10<sup>th</sup> Defendant) )

Eleventh Defendant )

and )

Lt. Col. RAYMOND WHITE, )

In his personal capacity and in his capacity as )

retired Rhode Island State Police (3rd Defendant), and )

Chief Operating Officer for the Thomas C. Slater )

Compassion Center, Inc. (8<sup>th</sup> Defendant), and )

Security Director for Sigal Consulting LLC (12<sup>th</sup> )

Defendant), and Advisor to MariMed Advisors Inc. (10<sup>th</sup> )

Defendant) )

Twelfth Defendant )

and )

)

Cpl. JAMES E. GRIFFIN )

in his personal capacity and as )

retired Rhode Island State Police (3<sup>rd</sup> Defendant), and as )

“Key Manager, Board Member and Financial Backer” of )

the Thomas C. Slater Compassion Center, Inc. )

(8<sup>th</sup> Defendant), and Advisor of MariMed Advisors, Inc )

(11<sup>th</sup> Defendant), and Operations Consultant of Sigal )

Consulting, LLC (12<sup>th</sup> Defendant) )

Thirteenth Defendant )

)

and )

)

GERALD MCGRAW, JR. )

in his personal capacity and as Chief Executive Officer of )

the Thomas C. Slater Compassion Center, Inc. )

(8<sup>th</sup> Defendant), and Advisor of MariMed Advisors, Inc )

(11<sup>th</sup> Defendant), and Partner of Sigal Consulting LLC )

(12<sup>th</sup> Defendant) )

Fourteenth Defendant )

)

and )

)

Lt. THOMAS J UNDERWOOD, )

in his personal capacity and as )

retired Rhode Island State Police (3<sup>rd</sup> Defendant), and )

Security Director for the Thomas J. Slater Compassion )

Center, Inc. (8<sup>th</sup> Defendant) )

Fifteenth Defendant )

and )

JOEL ALLCOCK, )

in his personal capacity and as employee or agent of )

Sigal Consulting, LLC (11<sup>th</sup> Defendant), )

a subsidiary of Worlds Online, Inc. (9<sup>th</sup> Defendant) )

and a subsidiary to Marimed Advisors, Inc. )

(10<sup>th</sup> Defendant) )

Sixteenth Defendant )

JON LEVINE, )

in his personal capacity and as )

Chief Financial Officer of MariMed Advisors, Inc )

(10<sup>th</sup> Defendant), and Co-founder, Partner, )

and President of Sigal Consulting, LLC )

(11<sup>th</sup> Defendant) )

Seventeenth Defendant)

)

and )

)

ROBERT N. FIREMAN, )

In his personal capacity and as )

Director of Worlds Online, Inc. (9th Defendant), )

And Founder and Chief Executive Officer of MariMed )

Advisors Inc. (10<sup>th</sup> Defendant), and Co-Founder )

and Principal of Sigal Consulting, LLC )

(the 11<sup>th</sup> Defendant) )

Eighteenth Defendant )

)

and )

)

)

Judge DAN LYNCH )

In his personal capacity and as Founder and Director of )

20<sup>st</sup> Defendant Dan Lynch Apostolates )

Nineteenth Defendant )

and )

)  
DAN LYNCH APOSTOLATES, )  
Doing business as The Missionary Image of Our Lady )  
of Guadalupe, Inc. )  
Twentieth Defendant )

AMENDED ACTION FOR INJUNCTION AND DAMAGES  
FOR DEPRIVATION OF CONSTITUTIONAL RIGHTS  
BY PUBLIC OFFICIAL CORRUPTION RING  
COUPLED WITH SYSTEMIC PRE-TRIAL PROCESS ABUSE PATTERN

**Introductory Outline:**

**Complaint Amended, to Include Official Corruption Rings and  
Serious Pre-trial Process Abuse Pattern**

1. This is an amended version of an action for protective injunction and/or damages, originally filed July 15, 2016 against the 1st Defendant, Rhode Island (“RI” and/or “the State”) Attorney General Peter Kilmartin (“Gen. Kilmartin”) of 150 South Main Street Providence RI, and/or against the State of RI in his Office’s name.

2. The original Complaint was a hurried unrepresented attempt to protect a religious cannabis garden and related material from RI law enforcement. The 1<sup>st</sup> Plaintiff, Rev. Dr. Anne Armstrong (“Rev. Dr. Armstrong”), is a clergywoman and leader of The Healing Church in RI, and uses cannabis for Communion, following original Biblical instructions for a plant called *KNH BSM*. The 2<sup>nd</sup> Plaintiff (Rev. Dr. Gordon) is likewise a clergyman, and serves The Healing Church in RI as interpreter of Ecclesiastical law, using cannabis likewise. Both reside at 99 Hudson Pond Road, West Greenwich RI.
3. The original Complaint is now widened to include more Defendants and related actionable torts and/or fundamental rights breaches, in a nexus of State mishandling of the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs and their religious exercise, especially by Gen. Kilmartin and a ring of retired and/or active lawmen now named as Defendants herein.
4. The original Complaint alleged unconstitutional official acts/omissions against the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs’ sacramental cannabis plants and related materials, which (though it is barely relevant here) were at least arguably lawful in plain RI and even federal substantive criminal primary and/or secondary legislation -- even without any special religious protections.
5. The State and/or Attorney General’s actions and/or omissions against the Plaintiffs as originally complained of were of the sort to be treated by Courts as if they were *deliberate* religious discrimination, in the forms of:

- A. unconstitutional *Establishment* of churches serving wine to children in violation of the 1<sup>st</sup> Amendment to the United States (US) Constitution; and/or
- B. non-*Equal Protection* relative to wine-Communing worshipers' statutory and discretionary protections, in violation of the Constitution's 14<sup>th</sup> Amendment; and/or
- C. *Free Exercise* denial, in which even laws which are neutral, generally-applicable, and only incidentally (not deliberately) burdensome to religious exercise are nonetheless to be treated **as if fully** deliberate (i.e. attracting strict scrutiny) if/when such laws are combined with concurrent breaches of other fundamental rights such as *Free Speech, Expression, Association and Assembly* (1st Amendment), *Due Process/ Fair Trial* and or *Life* (5<sup>th</sup>, 6<sup>th</sup> and 14<sup>th</sup> Amendments), etc.

### **Significant Pre-Trial Change of Material Circumstances**

- 6. Since the initial filing, significant changes of material circumstance have occurred.
  - A. Tuesday July 19<sup>th</sup> 2016, two business days after this Complaint was first filed, Rev. Drs. Armstrong and Gordon underwent felony arrest, criminal charge, bizarre jail and bail restrictions (described below in paragraph 115 as *Excessive* and/or *Cruel and Unusual* in breach of the 8<sup>th</sup> Amendment), and confiscation/destruction of relevant subject matter, including but not limited to irremediable harm to living plants/time available for therapeutic, religious and/or any other purpose; and

B. As described in the body of this amended Complaint, the 1st Defendant Gen. Kilmartin and/or his RI State agents, in conjunction with other now-named Defendants, undertook an erratic series of process abuses against the 1<sup>st</sup> and/or 2<sup>nd</sup> Plaintiffs in and around proceedings themselves, such as:

- (1) **converting arrest-related property across State lines** under color of law and subsequent to extortion (now under investigation by the FBI as gender and/or religious enhanceable hate crimes) and defamation,
  - (2) blockage/theft of a *habeas* filing from jail,
  - (3) first-ever in the State unequally-protected access to life-saving lawful medicine while on bail for the 1<sup>st</sup> Plaintiff relative to others using the same medicine, and
  - (4) deliberately misleading Courts (both Federal and State District Courts)
7. 1<sup>st</sup> Defendant Gen Kilmartin and/or his agents so badly and repeatedly abused process and newly violated still other fundamental rights of the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs (the sorts of “concurrent rights breaches” which, if occurring side-by-side with statutory and/or practical religious exercise burden, are unconstitutional as per paragraph 5.C., above, even if not actually deliberate) that the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs’ growing certainty of 1<sup>st</sup> Defendant Gen Kilmartin’s bad faith then made, for the first time, the behavior of *other* bad faith actors (now

also named as Defendants, in this amendment) credibly apparent as being connected to the rights breaches at first complained of in the original July 15<sup>th</sup> 2016 Complaint.

8. Accordingly, this new amended Complaint adds nineteen (19) new Defendants, mostly natural persons, up to **eleven (11) of whom are and/or were current or retired law officials** -- and none of whom personally arrested the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs July 19, 2016.
  
9. This amended Complaint, with respect to the originally Complained-of cause(s) of action, is now widened to include still more deprivations of the Plaintiffs' non-religious fundamental substantive rights in conjunction with burdened religious exercise -- by what appears to be several inter-connected law enforcement **corruption rings, members of whom are personally, beneficially involved in in the exclusive Statewide RI distribution of cannabis** and/or the unlawful and unconstitutional protection (relative to others) thereof. Such corruption (along with other breaches) described herein includes but is not limited to such highly irregular means as off-duty assault/battery and official cover-up thereof, evidence tampering, outright official theft, and/or other willful denial of plain statutory and Constitutional rights under color of law in violation of 42 US Code § 1983 and/or 18 U.S. Code § 242, and as detailed in the Complaint body below.
  
10. The first nexus tying all 21 of the Defendants together is that each, wittingly or unwittingly, in conjunction, abeyance, aid, and/or even bad faith conspiracy with others, at a minimum deprived the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs' fundamental rights (even rights entirely outside of religion) *in conjunction with* application of anti- religious exercise laws which were at their best neutral

and generally-applicable -- and which were in practice only even occasionally either neutral or generally-applicable. In such cases, whether deliberate or not, such interference with Free Exercise is to be treated **as if deliberate** as outlined in the original Complaint and in paragraph “5.B.” above.

11. The second nexus tying all of the Defendants together, and especially to Gen. Kilmartin, is the overarching theme of *Unequal Protection* granted Rev. Drs. Armstrong and Gordon, relative to protections given to:

A. Classes of people who the original (pre-amended) Complaint listed as a handful of Churches being granted special protections to give wine to children dangerously, and

B. Classes of people who now, in this amended Complaint, are widened to include a ring of retired police and their associates also being given special protection to deal cannabis relatively unlawfully.

12. Some of the rights abuses alleged herein are clearly actually deliberate, some less so, but the nexus tying all of the Defendants together is that at a minimum, each Defendant, in the name of or in the capacity of the State and/or often under color of law (usually in conjunction with the Office of the 1<sup>st</sup> Defendant Gen. Kilmartin), deprived or helped deprive the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs of at least one fundamental right -- especially *Equal Protection*, but others, too -- in conjunction with the application of a law that barred religious exercise, which was at best neutral and of general applicability, with State law enforcement.

13. The 2<sup>nd</sup> Defendant (RI Governor Raimondo, or ‘Gov. Raimondo’ of Rhode Island State House, 82 Smith St, Providence, RI,) the 3<sup>rd</sup> Defendant (RI Police Commissioner Colonel Assumpico, or ‘Col. Assumpico’ of 311 Danielson Pike, North Scituate, RI) and 4<sup>th</sup> Defendant (RI Corrections Director Wall, or ‘Director Wall’ of 40 Howard Avenue, Cranston RI) are each named in their official capacities as wielding Executive Command over relevant State personnel, agents and institutions, in whose official capacity Complaint is lodged against the State itself (including its law and practice). Those 3 officials, Governor, Police Commissioner, and Corrections Director, are relatively distinct herein from other named law enforcement personnel in that the 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> Defendants are not herein alleged to have performed in deliberate personal human bad faith (though some of their agents may or must have), unlike other officials named herein as bad faith actors.

14. The persons of the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> Defendants are said herein to be in no worse faith than neutral, though that does not relieve them of their strict duty not to apply neutral, generally-applicable law against religious exercise in combination with other fundamental rights breaches.

**Distinctly Patterned “Combination Punches” of Official Rights Breaches**

**Deployed by More than One Defendant**

15. Despite the new flurry of Defendant numbers, Complaint breadth, and fact, the original Complaint’s main two sought-after rights recognitions (religious and fair trial/due process) still overarch the whole matter. These key issues are at risk of becoming swallowed up by the dramatic changes of material circumstance leading to the amendments and new related complaints. For that reason, the original Complaint is left intact (attached as an addendum to this amended version, as “**Original Pre-Amendment Complaint**”). Re-stated simply, the two pre-amendment legal issues which are not only still relevant, but which in fact still over-arch the entire case, are:

A. that Courts are to treat as if deliberate any occurrence of concurrent religious and other fundamental rights breaches, whether actually deliberate or not.

B. that *Due Process* and *Fair Trial Rights* are compromised by Defendants’ official reliance in statute and practice on a mis-spelled foreign slang word (“*m-ri-u-na*”), in contravention of the 5<sup>th</sup>, 6<sup>th</sup>, and 14<sup>th</sup> Amendments. That use of prejudicially-derogatory, non-probative RI statutory word is here, in the amended Complaint, still complained-of. The use of prejudicial language (in conjunction with *Free Exercise* restraint) has been worsened by the complication of some Defendants who moved outside of the bad statutory language previously complained-of, and began detrimentally using still other, different prejudicial, non-probative language against the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs in Court proceedings as well as

other official and quasi-official proceedings. This was especially done, as outlined in the body of the Complaint below, by the persons, agents and/or vicarious supervisors of the 1<sup>st</sup> Defendant Gen. Kilmartin and/or 5<sup>th</sup> Defendant State Police Maj. Kevin O'Brien (described below) and/or others, for the purpose of, or toward the inevitable ends of, depriving the Rev. Drs Armstrong and/or Gordon of their rights to *Due Process, Fair Trial* and/or freedom from Defamation.

## **Facts**

### **Complaint/Defendant Groupings**

16. 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs now Complain herein that groups of individuals (companies and natural persons, many of whom are current or retired lawmen) deprived them of plain statutory rights and/or fundamental constitutional rights, relative to other persons and/or just generally, often under color of law, and/or in the at-least incidental practice of burdening the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs' *Free Exercise*. Rights breaches occurred in overlapping and inextricably intertwined Groupings, and are arranged below as such. The Grouping headings are as listed below, and as immediately followed by more detailed factual descriptions:

Group 1 --Retired VT Judge Dan Lynch, and Attorney General Kilmartin -- in which an out-of-State retired judge improperly influenced RI's Attorney General to tamper with criminal evidence and thereby convert the 1st Plaintiff's property over State lines, to the

judge, under color of law, while boasting that it was done over disagreement in religious belief.

Group 2 -- State Police Maj. O'Brien, plus an unknown off duty policeman and his henchman -- in which Maj. O'Brien was involved in a quasi-official coverup of unlawful attacks and deprivations of the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs' participation in a Catholic Mass by an unknown off-duty policeman, his unknown henchman, and an unidentified Church security guard. Maj. O'Brien's key role in this rights deprivation series is underscored by his further role in Group 3, also, immediately below,

Group 3 -- Retired State Police ring's overt lawbreaking protected by Gen. Kilmartin and Maj. O'Brien -- in which the retired State Police dominating the RI retail cannabis sector are receiving distinctively-patterned special protections for apparent rampant law-breaking from Officials who do not grant even statutory protections to those cannabis growers being as or more lawful than the retired police in question.

Group 4 -- Process badly abused repeatedly by both Attorney General and Jail staff -- in which the Attorney General's staff, as well as the RI Intake Jail, abused process badly and repeatedly in pre-trial proceedings, including deliberately misleading the Courts, blocking an attempted *habeas* filing, supra-legally attempting to block life-saving medicine as a bail condition, etc.

GROUP 1:

Retired VT Judge Dan Lynch and RI Attorney General Kilmartin

GROUP 1 INTRODUCTION

17. The following paragraphs depict an out-of-State retired VT Judge's improper influence over the RI Attorney General's treatment of the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs, resulting in the Attorney General's **conversion, under color of law, of property over State lines** personally to the retired judge, owing to the judge's difference of religious and/or gender opinion with the 1<sup>st</sup> and/or 2<sup>nd</sup> Plaintiffs, in the context of RI's July 18 2016 arrest of the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs' and/or the retired judge's apparent extortion and/or defamation thereof.

18. The factual/legal picture painted herein depicts clear violations of *Due Process* and/or *Fair Trial, Equal Protection, Unwarranted Search/Seizure* protections, and *Exercise/Establishment* rights. It also sets a pattern of such behavior by the State and/or its agents which will be seen repeated in Groups 2, 3, and 4 below.

GROUP 1 FACTS

19. The 19<sup>th</sup> Defendant Dan Lynch ("Judge Lynch") of 144 Sheldon Rd, Saint Albans, Vermont (VT) is and was at all material times a retired Judge from the State of Vermont and an infamous protester of the killing of unborn children. The 20<sup>th</sup> Defendant, Dan Lynch Apostolates ("the Apostolates"), also of 144 Sheldon Rd, Saint Albans, VT, is and was at all material times a

company controlled by Judge Lynch, and which seeks to condemn abortion and raise money for that purpose. The Apostolates do business as “The Missionary Image of Our Lady of Guadalupe, Inc.”

20. From September 2015 onwards, the 19<sup>th</sup> and/or 20<sup>th</sup> Defendants claimed in writing to be “Guardians” of a 6 foot-tall, +/- 100 pound replica travelling missionary painting (“The Missionary Painting”) of *La Virgen de Guadalupe*, a 15<sup>th</sup> century miraculous Catholic Mexican botanical healing icon. The Missionary Painting itself purported in writing, on the painting itself, to, belong to the Cardinal of Mexico, who supports traditional ancient Mexican usages of therapeutic cannabis.

21. According to Missionary Painting hosting advertisement by the 19<sup>th</sup> and/or 20<sup>th</sup> Defendants, temporary Guardianship of the painting could be obtained by applicants willing to put in 3-4 months of preparation. Starting in or around September 2015, Plaintiff 1, Rev. Dr. Armstrong, began such preparations. Starting in and around February 2016, Rev. Dr. Armstrong began contacting the 19<sup>th</sup> and 20<sup>th</sup> Defendants by telephone and email, actively seeking legal counsel from retired Judge Lynch (who once did *pro bono* law work for Pro-Life civil disobedience activists. Rev. Dr. Armstrong at that time also began applying for and otherwise seeking a Guardianship turn with the Missionary Painting as advertised by the 19<sup>th</sup> and/or 20<sup>th</sup> Defendants online.. Rev. Dr. Armstrong was forward about the unusual nature of her ministry, relative to cannabis as Tree-of-Life and her belief that the Missionary Painting depicted cannabis flowers in the floral print of the Blessed Mother’s dress.

22. On or about late April 2016, Judge Lynch and /or the Apostolates transferred Guardianship and physical custody of the Missionary Painting to the 1<sup>st</sup> Plaintiff Rev. Dr. Armstrong under terms which must be either a contract, or a trust, or a purpose-based honor-system gift. The Postolates and/or Judge Lynch's agent asked Rev. Dr. Armstrong in writing not to return the Missionary Painting at the proposed end date of the Guardianship, but instead to save shipping costs by waiting for the next Guardian to enlist. Hence, there was no contracted or legally entrusted return date shy of those circumstances, if there was any contract or trust to do so at all.
23. Soon after receiving physical possession of the Missionary Painting, 1<sup>st</sup> and/or 2<sup>nd</sup> Plaintiffs began publicly displaying the image, with cannabis; reiterating the claim that the painting's dress floral print depicted cannabis, along with other claims, such as that cannabis, an anti-viral agent, can prevent abortions by killing Zika virus. The image was taken to the United Nations Chapel in New York City, for example, and to Providence RI's LGBT Pride Festival immediately after the high profile Orlando LGBT Nightclub attacks.
24. On or about April 30<sup>th</sup> 2016, 20<sup>th</sup> and/or 21<sup>st</sup> Defendants (Judge Lynch and/or the Apostolates) attempted to obtain return of the Missionary Painting by defamation pressure (wrongly claiming the Missionary Painting's Guardianship had obtained by criminal fraud by Rev. Dr. Armstrong), by unwarranted demand of return based on religious and/or political differences, and by threat of criminal prosecution which would allegedly ensue if the Missionary Painting

was not returned ahead of the scheduled time, and in conjunction with public statements/retractions demanded in writing from the 1<sup>st</sup> Plaintiff.

25. Judge Lynch and/or the Apostolates (20<sup>th</sup> and/or 21<sup>st</sup> Defendants) soon thereafter stated in writing that their ownership of the Missionary Painting was absolute, and that **no contract or trust existed**.

26. In or about June 2016, Judge Lynch and/or the Apostolates attempted to convince Attorney General Kilmartin (and/or his agents) that the Rev. Dr. Armstrong obtained the Missionary Painting by fraud and/or other criminal deception, but he was unable to stimulate RI criminal proceedings. Shortly before or after that, Judge Lynch visited Rev. Dr. Armstrong and Gordon's premises, uninvited, with a municipal police officer, seeking the Missionary Painting under threat of criminal complaint. 19<sup>th</sup> Defendant Judge Lynch positively noticed cannabis plants on the property before or shortly after being asked to leave.

27. 19<sup>th</sup> Defendant Judge Lynch then shortly thereafter influenced Attorney General Kilmartin (1<sup>st</sup> Defendant)'s agent, an Attorney General in the Kent County RI division, to personally attend the premises of the Plaintiffs on or about June 23, 2016, threatening -- unless the Missionary painting were voluntarily yielded to Judge Lynch -- to serve a criminal search warrant for the Missionary Painting, a search in which cannabis (of which Gen. Kilmartin, Gov. Raimondo, Col. Assumpico's agents had been previously aware either expressly and directly, or impliedly

and/or constructively, for many months) would, it was announced, suddenly be seen and prosecuted, suddenly owing to the Missionary Painting search warrant.

28. After the 1<sup>st</sup> Plaintiff Rev. Dr. Armstrong's subsequent refusal to transfer custody, the search warrant was served, and the Missionary Painting taken, yet no charge was filed relating to the Missionary Painting. The art itself was sent to, handed to, or otherwise converted across State lines to the 19<sup>th</sup> and 20<sup>th</sup> Defendants, Judge Lynch and/or Dan Lynch Apostolates, instead of being entered into evidence, in certain defiance of normal criminal and police procedure.
29. During the execution of the search, police looked in areas which could not possibly hold the Missionary Painting, such as the basement refrigerator and/or freezer, where they saw cannabis scrap.
30. Police and the attending Attorney General's agent at that time and date did not seize or destroy any cannabis, but instead claimed the cannabis was unlawfully situated and/or above plant count and/or weight limits, and refused to entertain sections of the RI statute quoted at them by one or both the 1<sup>st</sup> and/or 2<sup>nd</sup> Plaintiffs which *prima facie* expressly protect such placement and amounts of cannabis. The 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs were told to move the cannabis plants, within a period of only a day, in a way which would have been less compliant, and not moreso, with the law, however ambiguously worded.
31. On or about July 19<sup>th</sup>, 2016, after flurried attempts by the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs to obtain protective Orders in various Courts, agents of the 1<sup>st</sup>, 2<sup>nd</sup>, and/or 3<sup>rd</sup> Defendants (Attorney

General, Governor and Police Commissioner) arrested Rev/ Drs. Armstrong and Gordon and seized materials which police reports claim became discovered in the context of searching for the Missionary Painting.

32. That search object, however, which *was* found at an earlier search, was peculiarly *not* entered into evidence the Apostolates (but was instead shipped or given to an alleged, untried criminal complainant), and the search for it was not the source of the State's knowledge of cannabis there -- Rev. Drs. Armstrong and/or Gordon having repeated given notice, different ways for many months, that cannabis was and would be present, and the police having visited with Judge Lynch previously when cannabis was seen. In other words, the State's claim of having discovered the cannabis in the course of the search was patently false.

33. 1st Defendant Attorney General Kilmartin and/or his agents, alone and/or with the 20<sup>th</sup> and/or 21<sup>st</sup> defendants (Judge Lynch and/or the Ministries, respectively) as well as unnamed agents of the 2nd and 3rd Defendants (Gov, Raimondo and Col. Assumpico) deprived both Plaintiffs of numerous plain statutory cannabis and free exercise rights (relative to others such as police or wine-Communing churches), as well as (and/or via, and/or in the context of) numerous breaches of fundamental rights to Free Exercise, Expression, Equal Protection, Due Process, Fair Trial and rights against Establishment, Excessive Bail, Cruel and Unusual Punishment and/or well as rights against defamation. This was done in the context of arrest and confiscation/destruction of religious materials.

34. Some of those rights violations occurred in open Courts as a series of serious process abuses by counsel for (or agents of) the 1<sup>st</sup> Defendant Gen. Kilmartin. These are differentiated by counsel's performance of them in open Court, rather than "in the field," and are detailed separately in Group 4 at and beyond paragraph 104 below.
35. On or about July 28<sup>th</sup>, 2016, while Rev. Drs. Armstrong and Gordon were jailed without bail, Judge Lynch and/or the Apostolates published a written account indicating religious and/or gender differences as motivating factors behind the retired Judge's significant degree of influence claimed over Attorney General Kilmartin (1<sup>st</sup> Defendant)'s official duties, including:
- A. Causing the Attorney General to consider the Missionary Painting to be a criminal, rather than a civil matter, *after it was initially determined civil* by the Attorney General;
  - B. Search, seizure and extraordinary transfer of the Missionary Painting under color of law to the retired Judge and/or the Apostolates; and
  - C. Subsequent arrest and denial of bail to the 1<sup>st</sup> and/or 2<sup>nd</sup> Plaintiffs.
36. In that manner, at the very least, the 19<sup>th</sup> and/or 20<sup>th</sup> Defendants denied or sought to deny fundamental *Due Process, Fair Trial, and/or Search/Seizure* protections, in conjunction with the 1<sup>st</sup> Defendant Attorney General Kilmartin and/or RI police, while concurrently depriving religious exercise in the same context. In this case, it was more evidently deliberate than just blind and concurrent, and instead ranges into willful color of law rights deprivations.

GROUP 1 CONCLUSION

37. Judge Lynch and the Apostolates, Defendants 19 and 20, respectively, openly published claims that due to Rev. Dr. Armstrong (Plaintiff 1)'s and/or Gordon (Plaintiff 2)'s religious beliefs/practices and/or gender, the retired Judge bent the 1<sup>st</sup> Defendant Attorney General's functions. He did so, in conjunction with the Attorney General, in a peculiar property grab far outside legal procedures under the color of law, in a way that triggered felony arrest of the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiff (of which Judge Lynch bragged), but oddly triggered neither charge, nor property receipt, of the contested property. He bent the law with the 1<sup>st</sup> Defendant Attorney General, published a boast of it, and thereby the 1<sup>st</sup>, 19<sup>th</sup> and 20<sup>th</sup> Defendants together deprived the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs of their *Free Exercise* rights in both of the following ways:

- A. relative to other parties (such as wine-Communing churches that dose children, and/or police cannabis dealers), and/or
- B. in conjunction with the breach of other fundamental rights.

GROUP 2:

The Church Police -- State Police Major Kevin O'Brien, and 2 "John Does"

## GROUP 2 INTRODUCTION

38. This section details the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs' account of being attacked at Catholic Mass in a large semi-public Cathedral, by a small ring of off-duty and/or retired police (collectively called "**The Church Police**").

39. The off duty and/or retired police of the Church Police group Defendants introduced in the following paragraphs are therein depicted being recorded **dishonestly covering up**, in official and semi-official capacities, a series of rights breaches they inflicted, by attempting to officially and publicly blame Rev. Drs. Armstrong and Gordon for a fictional disturbance invented to cover up the rights breaches.

40. Defendant *Group 2's* police ringleader, 5<sup>th</sup> Defendant Maj. Kevin O'Brien, will later in the Complaint be shown in another Defendants' group, *Group 3* below (starting at paragraph 64), to have abused rights in a separate and further State Police color-of-law abuse pattern, one based on too complex a tactical similarity to be merely co-incidental, establishing both a pattern and a nexus between the Group 2 Defendants Cathedral incident herein described, and the relevant Defendants' rights-breaching police behavior with Group 3 as well.

41. Casting a pall over the entire Group 2 Defendants list is the actions of one off-duty police officer among them who was recorded depriving rights, while using apparently false credentials and identification, in the context of intimidating a Priest by mentioning "testimony."

GROUP 2 FACTS

42. On or about April 17, 2016 – present,, the 5th Defendant Maj. O’Brien was a recently-retired State Police Detective and the Catholic Diocese of Providence’s “Compliance Officer,” at 80 St. Mary’s Drive, Cranston RI. As such, his duties included protecting vulnerable worshipers from Church personnel, investigating complaints of abuse, and seeing that Church safety and legal protocols were being followed.
43. The 6<sup>th</sup> and 7<sup>th</sup> Defendants, “Ofc. Doe 1” and “Mr. Doe 2” respectively, are 2 unidentified men, at least the first of whom was an off duty police officer, were present at morning Mass at the Providence RI Catholic Diocese’s Fenner Street Cathedral, Sts. Peter and Paul (“The Cathedral”) on Sunday April 17<sup>th</sup> 2016.
44. Ofc. Doe 1 and Mr. Doe 2’s identities are not known to the Plaintiffs, who are unwilling to investigate the names prior to the men’s inclusion in this Complaint, given the actions of the Church Police lawmen as described below, such as giving false credentials and identity when asked. The identity of Defendant 6 and/or 7, however, is likely known to the 5<sup>th</sup> Defendant Maj. O’Brien and to each other, as the 3 acted in close tandem to deprive rights. For this reason, Ofc. Doe 1 and Mr. Doe 2’s Service will be to Maj. O’Brien’s service address at the Diocese Compliance Office.

45. Compliance Officer Maj. O'Brien, Defendant 5, joined with Ofc. Doe 1, Mr. Doe 2 , and an unnamed uniformed Church Security Guard to deprive the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs of the right to *Free Speech, Expression, Association, Exercise, Due Process, Fair Trial, Equal Protection*, and/or freedom from Trespass against the Person and/or from Defamation at the Cathedral on the 17<sup>th</sup> of April 2016.
46. The 6<sup>th</sup> Defendant Ofc. Doe 1 was (or identified himself as) as an **off-duty police officer** at ta Sunday April 17<sup>th</sup> 2016 Catholic Morning Cathedral Mass, who claimed to work for the Cathedral, and **claimed to be named "St. Peter."** The 7<sup>th</sup> Defendant Mr. Doe 2 served as an assistant, partner or sidekick to the 6<sup>th</sup> Defendant at that date/time.
47. The 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs, with three other persons, attended Sunday April 17, 2016 morning Mass at the Cathedral, in part for the purpose of receiving Priestly Blessings upon a politically-intended, Papier-Mache' 2-foot long, "joint"-shaped "freedom torch" being relayed from State to State on behalf of dying cancer and seizure disorder patients and on behalf of languishing cannabis life sentence prisoners. Their attendance at the Cathedral Mass for that purpose had been promoted on social media, attracting 3 attendees besides Rev. Drs Armstrong and Gordon.
48. At that date and time, Defendants 6 and 7 (Ofc. Doe 1, and Mr. Doe 2), purporting to work for the Cathedral, blocked or attempted to block the 1<sup>st</sup> and/or 2<sup>nd</sup> Plaintiffs' access to both the Mass and the Priest, claiming that the freedom torch alone (which was making no flame or

smoke), and no other factor, would disturb the Mass. This was a violation of the Rights to *Speech, Expression, Exercise, Association, Equal Protection, and/or Assembly*. 2<sup>nd</sup> Plaintiff Rev. Dr. Gordon began video-recording the incident.

49. Rev. Dr. Armstrong proceeded with her plan to attend Mass, followed by 2<sup>nd</sup> Plaintiff Rev. Dr. Gordon and his camera. Immediately, Rev. Dr. Armstrong then suffered unwanted touch from behind to the left armpit/breast area, during/in the Mass ceremony itself, by the 6<sup>th</sup> Defendant, Ofc. Doe 1, who was video-recorded doing so and informed of that fact by Rev. Dr. Gordon, still recording.

50. Defendants 6 and/or 7 then summoned a Providence RI Police Officer Slater (the son of the RI medical cannabis act's author by sheer chance) via 911 call, whose police report specifies that responding on-duty Officer Slater was speaking with an **off-duty police officer**.

51. When Mass was over, Rev. Drs. Armstrong and Gordon learning from one of their colleagues that outside the Cathedral, near the 1<sup>st</sup> Plaintiff's car, Ofc. Doe 1 (Defendant 6) was speaking to on-duty, uniformed police officer waiting there at his squad vehicle. The police incident report indicates that the caller positively identified the 1<sup>st</sup> Plaintiff Rev. Dr. Armstrong with reference to her political and/or religious creed.

52. The 6<sup>th</sup> Defendant Ofc. Doe 1 then proceeded to shout, in a way as to lower or attempt to lower the reputation of the 1<sup>st</sup> and/or 2<sup>nd</sup> Plaintiffs in the eyes of Mass-goers leaving the Cathedral -  
- by implying mental defect (i.e. slanderous defamation).

53. At that time, Ofc. Doe 1 interfered with both Plaintiffs' attempt to speak with, and obtain the sought-after standard object-Blessing from, the on-duty Priest at the Cathedral and/or other clergymen. This interference was accomplished in 5 particularly alarming fashions:

A. Dishonestly claiming, or attempting to claim, official authorization to determine if given individuals were welcome in the Church; and/or

B. Dishonestly claiming to police against the clear record that Rev. Drs. Armstrong and/or Gordon had created a disturbance or been disorderly in the Cathedral; and/or

C. Dishonestly claiming that the 1<sup>st</sup> and/or 2<sup>nd</sup> Plaintiffs had been smoking cannabis in the Cathedral, in direct contrast with Ofc. Doe 1 (Defendant 6)'s own earlier recorded description of the event, which expressly excluded any such possibility; and

D. Interrupting a Priest's conversation with the 1<sup>st</sup> and/or 2<sup>nd</sup> Plaintiffs, Rev. Drs. Armstrong and/or Gordon, **by saying "remember my testimony, Father;"** and

E. Furtively and/or secretively accepting furtive and/or secretive eye and hand signals from the unidentified, uniformed Cathedral Security Guard present at that date, time and place.

54. From on or about the incident date April 17<sup>th</sup> 2016 through the next few days, Defendant 5, Maj. O'Brien compiled an internal Diocese Compliance Officer's report against the 1<sup>st</sup> and/or

2<sup>nd</sup> Plaintiffs Rev. Drs. Armstrong and/or Gordon, presumably at the behest or complaint of the 6<sup>th</sup> and/or 7<sup>th</sup> Defendants, Ofc. Doe 1 and/or Mr. Doe 2.

55. The aforementioned Compliance Officer is the same Maj. O'Brien (Defendant 5) who will be alleged in Group 3, below, to have selectively enforced law on behalf of a narrow cannabis retail business sector dominated by retired police, just at the time that those retired police obtained a powerful new business advantage related to the selective law enforcement -- just as Gen Kilmartin (Defendant 1) will in Group 3 be said to have done for the same interests, in the same pattern.

56. Maj. O'Brien's Compliance Office investigation for the Diocese contains/contained a record of a false complaint by unknown parties (presumably Ofc. Doe 2 and/or Mr. Doe 2), alleging with demonstrable falsity that the 1<sup>st</sup> and or 2<sup>nd</sup> Plaintiffs, Rev. Drs. Armstrong and/or Gordon, had smoked cannabis in the Cathedral and were making a disturbance.

57. Maj. O'Brien, the 5<sup>th</sup> Defendant, related his findings on or about Tuesday April 19th 2016 to both Plaintiffs by the 1<sup>st</sup> Plaintiff Rev. Dr. Armstrong's speakerphone conference telephone call. Compliance Officer Maj. O'Brien refused in the course of his investigation to view or consider the video recordings of the actual incident, stating that because the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs "smelled like" cannabis which a video could not depict, there was therefore no need to look at it to see whether or not any disturbance was -- or was not - in evidence.

58. Maj. O'Brien was not interested in entertaining how the video shows Defendants 6 and/or 7, Ofc Doe 1 and Mr. Doe 2, clearly indicating that their objections to Cathedral Mass attendance positively excluded any aroma as a possible factor. Emails and/or telephone voice messages attempting to clarify this point were sent to 5<sup>th</sup> Defendant Maj. O'Brien by one or both Plaintiffs in the ensuing days, to no avail.

59. At an unknown date not long after that, the Maj. O'Brien caused word of the April 17<sup>th</sup> 2016 Cathedral incident, including the false (recklessly or worse) claim of smoking-in-the-church, to reach the awareness of Providence Diocese's Bishop Tobin, who resultingly on or about May 10<sup>th</sup>, 2016 made international news publishing that cannabis users were sinful or bad, even going so far as to smoke in the Cathedral, an obvious reference to the incident.

60. The Bishop's cannabis writings were a widely published rebuke of the 1<sup>st</sup> and/or 2<sup>nd</sup> Plaintiffs' notorious and relatively unusual style of practice, faith and person, in ways which readily allowed their followers and/or or the public to readily identify the Plaintiffs and/or their narrow class. The publication rebuked behavior which never occurred, as a result of Maj. O'Brien and/or Ofc. Doe 1 and/or Mr. Doe 2 only falsely reporting to the Bishop what had actually occurred. Whether the Bishop knew of the untruth or not was irrelevant -- he was caused to publish that unflattering untruth by the reckless and/or dishonest provision of demonstrably false information by the 5<sup>th</sup> Defendant Maj. O'Brien and/or the rest of the Church Guards, Defendants 6 and 7 along with the unidentified uniformed Security Guard who assisted.

## GROUP 2 CONCLUSION

61. Through the combined and/or individual behavior of the 4 members of the Church Guards Group (5<sup>th</sup> Defendant Maj. O'Brien, 6<sup>th</sup> Defendant Ofc. Doe 1, 7<sup>th</sup> Defendant Mr. Doe 2, and the not-sued Security Guard) a truly alarming series of rights abuses ensued, involving police intimidating disruption of the Plaintiffs' ministrations by a Priest -- "remember my testimony, Father" -- as well as defamations, false reports, assaults and quasi-official coverups. These constitute serious breaches of numerous fundamental rights unto themselves.

62. **The Church Guard Defendants' breaches' greater relevance**, however, is that their ringleader, not long prior to that, was involved with the Group 3 Defendants, therein matching a peculiar pattern also used there by 1<sup>st</sup> Defendant Gen. Kilmartin, to jointly assist a ring of retired police in quasi-overt and heavily protected rampant lawbreaking, relative to supralegal police and Attorney General handling of other parties' (including the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs') related behavior.

63. The 5<sup>th</sup> Defendant Maj. O'Brien and his Church Guard Group Defendants' cohort deprived the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs of (irrespective of any cannabis) *Expression, Association, Exercise, Assembly*, and/or *Due Process/Fair Trial* rights. Those Defendants therefore unconstitutionally denied religious exercise in conjunction with deprivation of additional fundamental rights.

64. Maj. O'Brien's Group 3 Defendants ties to 1<sup>st</sup> Defendant Gen. Kilmartin, outlined immediately below, will underscore how 5<sup>th</sup> Defendant Maj O'Brien also willfully deprived Plaintiffs 1 and 2 of fundamental rights compared to the rights of others similarly situated such as:

- A. Dioceses like his own which serve wine to children for Communion daily of which he was on constructive of not actual notice as Compliance Officer; and
- B. Cannabis-dealing retired police being favorably treated Unequally by Maj. O'Brien and 1<sup>st</sup> Defendant Gen. Kilmartin.

**GROUP 3:**

**Slater Group Defendants**

GROUP 3 INTRODUCTION:

UNIQUE TIMING/FORM OF OFFICIAL CORRUPTION WAS  
SHARED BY 2 OFFICIALS ON 2 OCCASIONS

65. The 8<sup>th</sup> through 18<sup>th</sup> Defendants are described individually in the following paragraphs, and are collectively herein named/abbreviated the “**Slater Group**” Defendants.

NOTE: where the Slater Group Defendants are referred to as the “8<sup>th</sup>-18<sup>th</sup>” Defendants elsewhere in this Complaint, it is presumed “inclusively” unless otherwise specified.

66. Together, the 8<sup>th</sup>-18<sup>th</sup> Defendants comprise a RI market-dominating cannabis store and its owners/operators, among whom can be found a tight concentration of retired RI State Police officers, as shown in their personal individual introductions below.

67. This Defendants’ Group will be shown below to have, despite holding highly exclusive legal privileges to grow and sell cannabis in RI, worked unlawfully, directly with both Attorney General Kilmartin (Defendant 1) and 5<sup>th</sup> Defendant State Police Maj. O’Brien (shortly before he began his job with the Diocese as a Compliance Officer). The unlawful work of the 8<sup>th</sup>-18<sup>th</sup> Defendants’ Group, and/or their individual members, with Defendants 1 and 5 occurred in separate complex behavior sequences too distinctly peculiar to be unrelated -- and in order to concurrently deprive others (Plaintiffs included), often under color of law, of rights relative to those rights supra-legally given to the Slater Group Defendants (and also to wine-Communion churches who intoxicate children) -- fundamental over-arching issues of both the Original Pre-Amendment Complaint and this, the current amended one. The complained-of pattern in aggregate comprises breach of the 1<sup>st</sup> and/or 2nd Plaintiffs’ inalienable rights to *Equal Protection, Fair Trial* and/or *Due Process* and/or *Free Exercise, Free Association* and freedom from *Establishment*.

### GROUP 3 FACTS

68. The Group 3, or Slater Group, Defendants' (8<sup>th</sup> through 18<sup>th</sup>)'s actors, agents and/or controllers can best be descriptively introduced in 3 sub-categories (3A) companies, (3B) personnel, and (3C) cooperating State law enforcement helpers.

#### Group 3A: The Ownership Companies

69. The 8<sup>th</sup> Defendant is "The Slater Center," of 1 Corliss St, Providence RI, is the retail business itself.

70. Owing the Slater Center directly or subsidiarily are 3 companies, the 9<sup>th</sup> Defendant, "Worlds Online", of 11 Royal Rd, Brookline, Massachusetts (MA); the 10<sup>th</sup> Defendant, "Marimed", of 26 Ossipee Road, Suite 201, Newton, MA; and 11<sup>th</sup> Defendant, "Sigal," also of 26 Ossipee Road, Suite 201, Newton, MA. Worlds Online owns Marimed, which owns Sigal, which owns the Slater Center; the 4 are collectively called herein "**The Ownership Companies.**"

#### Group 3B: Principals and Key Personnel

71. The 12<sup>th</sup> – 16<sup>th</sup> Defendants, inclusive, described immediately below, are natural persons who operate, direct, manage, and/or own the Slater Center and/or did so at material times.

72. The 12<sup>th</sup> and 13<sup>th</sup> Defendants (“Lt. Col. White” of 1 Corliss St, Providence RI and “Cpl. Griffin,” also of 1 Corliss St, Providence RI respectively) are both retired Rhode Island (RI) State Police officers; both are intimately involved with ownership and management of The Slater Center. The 14<sup>th</sup> Defendant (“Mr. McGraw,” also of 1 Corliss St, Providence RI) is an electrical contractor who likewise is intimately involved with the Slater Center’s ownership and management. All 3 are also consultants, employees and/or agents of the 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup> Defendants (The Ownership Companies).

73. The 15<sup>th</sup> Defendant (“Lt. Underwood” of 1 Corliss St, Providence RI) is Director of Security for the Slater Center, and is also a retired RI State Police Officer.

74. The 16<sup>th</sup> Defendant (“Mr. Allcock,” of 1 Corliss St, Providence RI) was the Slater Center’s first chief cannabis grower, hails from an extended family of many police officers, and has at material times directly worked with or for 11<sup>th</sup> Defendant, Sigal, and/or its agents, to own, direct, manage and/or operate a State-exclusive cannabis retail venue in the State of Delaware, in which litigation was launched by other parties against Sigal for essentially breaching agreement not to be exclusive.

75. The 17<sup>th</sup> and 18<sup>th</sup> Defendants (“Mr. Levine,” of 26 Ossipee Road, Suite 201, Newton, MA, and “Mr. Fireman,” of 11 Royal Rd, Brookline, MA, respectively) both manage, direct, operate and/or own the 2 lesser Ownership Companies (Marimed and Sigal, 10<sup>h</sup> and 11<sup>th</sup> Defendants

respectively). Mr. Fireman is additionally Director of the 9<sup>th</sup> Defendant overarching Ownership Company, Worlds Online.

Group 3C: Cooperating State Law Enforcement Helpers

76. The RI State Police report ultimately to 3<sup>rd</sup> Defendant Col. Assumpico, who serves at the pleasure of the 2<sup>nd</sup> Defendant, Gov. Raimondo. Neither of these Officers, nor their Offices, are herein necessarily alleged to be in natural-person human bad faith (irrespective of their agents' motives), though they are nonetheless the subject of this Complaint of that the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs' rights were deprived at least in the perceived course of official State duties.

77. What the facts of Group 3 (The Slater Group) Defendants and their agents reveal immediately below is a pattern of retired State Police, running a virtual cannabis dealing monopoly, rampantly breaking laws in their own opinion, receiving knowing assistance via unequal protection from the Attorney General and active State Police.

78. In or about September 2014, some or all of the Slater Group's (8<sup>th</sup>-18<sup>th</sup>) Defendants acquired a then newfound special RI statutory legal right to uncapped cannabis plant numbers, numbers which were previously strictly limited in ways requiring some or all of the Slater Group Defendants to meet customer demand only by purchasing significant quantities of cannabis from home growers entitled to have/produce it in the State.

79. This new plant count uncapping legislation did not substantively affect individual home grower plant counts (upwards or downwards, though groups of home growers together were somewhat limited), and otherwise only affected plant numbers for the very exclusive licensed cannabis retail sector (just 3 stores Statewide) dominated at all material times by the Slater Center.

80. Prior to the lifting of retail store plant count restrictions, the amounts of home growers' excess cannabis, obtained by members of the Slater Group Defendants to meet customer demand beyond what the Center could grow, far exceeded the State's nominal per-transaction limits for the store's suppliers -- or even carefully crafted small multiples thereof -- as specified by the State's medical cannabis law. That law seemingly limited those entitled to provide the Slater Group's cannabis to no more than 2.5 ounces per 2-3 allowable patient limit at a time.

81. Limited as they were in this fashion to no more than a few ounces per transaction, some or all of the Slater Group Defendants (8 -18) could only have obtained that amount of cannabis (the amount they sold to consumers during the relevant time) by, in their own estimation, acting or conspiring with providers to transfer in ways/amounts which some or all of the Slater Center Group Defendants (8-18) must have believed was unlawful.

82. That the Slater Group Defendants themselves viewed their own transactions as wholesale illegality is evidenced by their later role in causing RI State Police to arrest, and the Attorney General's agents to prosecute, those same providers with whom the Slater Group Defendants previously transacted, for otherwise the exact same cannabis activity (but for some or all of the

vendors' refusal to newly accept a lesser-than-previous price from some or all of the 8<sup>th</sup>-18<sup>th</sup> i.e. Slater Group, Defendants) once those outside suppliers' previous prices were no longer -- due to the newly expanded-to-unlimited plant count rights -- economically convenient for the Slater Group Defendants.

83. In other words, to the retired police at the Slater Center, to those still employed by the State, and to the Attorney General, a home grower's lawfulness was measured not by cannabis mass per licensee, as the law would seem to specify, but by commercial compliance with arbitrary business terms set by some or all of the Slater Group (8<sup>th</sup> through 18<sup>th</sup>) Defendants.

84. Just after the passage of the new plant count law (and well before it went into effect), the 1<sup>st</sup> Defendant Gen. Kilmartin on or about December 2014 suddenly publicly announced his new interpretation of allowable home grower cannabis plant numbers, in official Advisory format, to a plant number evidently lower than that allowed by the law's express wording and its legislative instruction for liberal interpretation.

85. The actual plant count law change (which substantively benefited the retail Slater Center and related Defendants, but did not substantively affect individual home growers' plant counts upwards or downwards), after having been previously rejected by legislative committees, in a rules-suspended legislative procedure which was totally lawful, but which shows the 1<sup>st</sup> Defendant's *motivation* to later benefit some or all of the Slater Group Defendants (8-18) by wrongly narrowing others' related rights just as the Slater Group received a boon or windfall.

86. The power of the 1<sup>st</sup> Defendant Attorney General's public home grower plant count official Advisory's impact was significant, and must not be under-stated. 1<sup>st</sup> Defendant Gen. Kilmartin's public Advisory created such public prejudice that the State's leading cannabis patient advocate, a lawyer specializing in the relevant statute, on or about December 12, 2014, publicly advised gravely sick cannabis patients, who were already known to be suffering cannabis supply shortage problems, to procure/produce less cannabis than the law clearly allowed them to have, due to the Attorney General's public official Advisory's interpretation of the plant count law.

87. On or about April 2015, the 5<sup>th</sup> Defendant ("Maj. O'Brien") was still an active a Rhode Island (RI) State Police Detective, having not yet then retired to become the Providence Diocese's Compliance Officer. Herein he will be shown, prior to his role in Church, to have mirrored the behavior and distinctive timing, on a separate occasion, of 1<sup>st</sup> Defendant Gen. Kilmartin's public rights-narrowing official law Advisory, timed just as members of the 8<sup>th</sup> - 18<sup>th</sup> (Slater Group) Defendants obtained yet another new exclusive business advantage.

88. On or about March 9<sup>th</sup> 2015, a fire destroyed a warehouse adjoining or housing the charity property occupied by the aforementioned cannabis patient advocate lawyer. At his time or not long thereafter, some or all of the 8<sup>th</sup>-18<sup>th</sup> Defendants inclusive obtained a new expensive cannabis oil extraction machine which uses non-flammable, non-toxic CO2 as a solvent-of-choice rather than less-desirable butane (which is explosible and toxic).

89. The warehouse fire was followed shortly thereafter by the 5<sup>th</sup> Defendant Maj. O'Brien's official State Police public proclamation on or about March 26, 2015, that cannabis oil extracted using butane "was illegal" -- a highly prejudicial public statement more disprobative than probative of the actual law, analogous to saying "tobacco is illegal" (since butane-extracted cannabis oil was no less legal than any other type of cannabis at the time). The 5<sup>th</sup> Defendant Maj. O'Brien then would not return public calls for clarification.

90. 5<sup>th</sup> Defendant Maj. O'Brien officially implied or expressed that the product competing with the Slater Group's new extract machine's product was somehow less lawful than any other type of cannabis in Rhode Island, when this was not the case. Maj. O'Brien retired from the RI State Police soon thereafter, on or about May 08, 2016, and then assumed duties as the Compliance Officer at the Catholic Diocese of Providence (a post at which his activities were complained of in Group 2 above).

91. Between 2014-2016, both the 5<sup>th</sup> Defendant (then-RI State Police Maj. O'Brien) and the 1<sup>st</sup> (Gen. Kilmartin) each executed highly complex similar and irregular behavior, in supposedly official capacities, to deprive the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs of numerous rights. Those 2 officials -- Defendants 1, Gen. Kilmartin, and 5, Maj. O'Brien -- each/both separately:

A. Deprived or sought to deprive Equal Protection -- by making an Official public statement which purported to narrow the rights of those who were not among the Slater Group (8<sup>th</sup>-

18<sup>th</sup>) Defendants and/or their closely held associates -- simultaneous each time to a new circumstance widening Slater Group Defendants exclusive business rights to that right taken from others in such Official statements.

B. Later took dramatic official and/or quasi-official action to burden the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs' religious exercise, in conjunction with the breaches of additional rights (such as *Free Speech, Free Expression, Free Association, Due Process, Fair Trial*, and/or etc.) besides just the *Equal Protection* said breached in above -- at times even deliberately.

92. The similarity of preferential treatment by Defendant 1 Gen. Kilmartin and Defendant 5 Maj. O'Brien towards some or all of the Slater Group (8<sup>th</sup> through 18<sup>th</sup>) Defendants over others similarly situated, immediately after an economic boon to the Slater group, then followed by harsh rights deprivations foisted on the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs, is an unusual enough sequence of events that Defendants 1 (Gen. Kilmartin) and 5 (Maj. O'Brien) are grouped together for this purpose, as co-actors with the Slater Group Defendants who are actively serving public officials.

93. On or about February 02, 2016, the 2<sup>nd</sup> Defendant Gov. Raimondo introduced budget legislation which ultimately passed, to, as she put it "level the playing field" relative to home growers **for the benefit of the highly exclusive cannabis retail industry sector** dominated by the Slater Group (8<sup>th</sup> through 18<sup>th</sup>) Defendants' business. The State in this fashion again expressed its bare *motivation* to assist the retail cannabis sector dominated by retired State Police, relative to home growers. This was perfectly lawful, and is raised merely to show the

State's unequal leanings, consistent with the Rights the State breached achieving those leanings.

94. On or about June 23<sup>rd</sup> 2016, an agent of the 1<sup>st</sup> Defendant Gen Kilmartin, as mentioned above in Defendants' Group 1, attended the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs' residence to take a painting into possession, and while there announced (for the first time, after prior State indications to the contrary in word and conduct), via interrogative and answer, heretofore unknown restrictions not actually in the State cannabis law (just like the plant count Advisory), for example, saying that:

- A. Lawful cannabis could not be grown in plain view (the law contains no such restriction for lawful cannabis);
- B. Lawful cannabis must not be directly exposed to sunlight or outside air during growth (the law contains no such restriction);
- C. Fenced dog pens with doors did not qualify as "indoors" (despite the law's clear instruction for liberal interpretation for the purpose of preventing arrest etc.);
- D. The law limits the number of structures/property in which cannabis may be grown (it does not); and

E. that newly enacted non-substantive statutory “goals” of mold and insect contamination suppression were substantive, as undefined burdens upon growers, but not the statute’s substantive “purpose” (the effecting of which the law instructs its own liberal interpretation) of preventing arrest, confiscation and other legal consequences of cannabis (the prevention of arrest as a purposive bender of interpretation is substantive, but that statute’s goals create no substantive burden). .

95. From or about October 2014 through ceaselessly ongoing, Rev. Drs. Armstrong and/or Gordon put the State on notice that the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs’ cannabis was religious irrespective of any additional lawfulness it might enjoy. Such notice was given in ways such as an October 2014 legal action naming the office of the 2<sup>nd</sup> Defendant (Governor) and/or Governor’s agents, and also directly sought declaratory judgment over the aforementioned home grower plant count issue.

96. It is presumed that the above-mentioned October 2014 notice, in the form of a separate legal action in State Court, was shared with the 1<sup>st</sup> Defendant, the State’s Attorney General, and/or his agents. In any case, Rev. Drs. Armstrong and Gordon also notified the State through numerous in-person meetings and/or telephone calls with the 1<sup>st</sup> Defendant’s Gen. Kilmartin’s and/or 2<sup>nd</sup> Defendant Gov. Raimondo’s agents, various State Legislative Committee testimonies (at least one in the presence of agents from the 1<sup>st</sup> Defendant Attorney General Kilmartin’s office), municipal police, and State Police.

97. On or about late June 2016, Norman Birnbaum, a State agent of 2<sup>nd</sup> Defendant Gov. Raimondo specializing in cannabis law, telephoned 1<sup>st</sup> Plaintiff Rev. Dr. Armstrong to relate that “caregivers” were in no way restricted to indoor-only grows in RI statute, irrespective of the law’s instruction for liberal interpretation of the definition of non-caregiver plants’ “indoor”-only restrictions for medical cannabis, and irrespective of the law’s failure to limit the number of structures per property in which cannabis may be grown by other lawful growers entitled to grow there. On or about early July 2016, however, Norman Birnbaum again telephoned 1<sup>st</sup> Plaintiff Rev. Dr. Armstrong, in order to, on behalf of the Governor’s office, scale back his earlier expression of perceived rights in the law. This was just days before Rev. Drs. Armstrong and Gordon’s arrests.

98. Once again, in the case law enforcement’s comments about where and how much cannabis could be grown on the Plaintiffs’ property, just as new legislative amendments came into effect in or about June/July 2016 benefiting some or all of the 8<sup>th</sup> -18<sup>th</sup> (Slater Group) Defendants and/or burdening home growers relative to the Slater Group, the State, through agents of the 1<sup>st</sup> Defendant Gen. Kilmartin, 2<sup>nd</sup> Defendant Gov. Raimondo, and/or others, made official or quasi-official statements seemingly scaling back existing home grower rights, or purporting to scale them back, inconsistently with regard to the statute itself, then shortly thereafter struck out at the 1<sup>st</sup> and/or 2<sup>nd</sup> Plaintiffs’ freedoms and rights -- in this case, the process-abusive seizure and out-of-State conversion of the Missionary Painting referred to in Group 1 at paragraph 14 above, followed ultimately by arrest.

99. Legislative assistance to the 8<sup>th</sup> through 18<sup>th</sup> (Slater Group) Defendants has repeatedly coincided with strange sudden new RI Executive interpretations of static statute further benefiting the Slater Group Defendants by newly depriving rights to those seen as competitors or otherwise outside of the approved classes. In this case, as in the others, it occasioned breaches of *Due Process*, *Fair Trial*, and/or other fundamental rights in conjunction with the burdening of Plaintiff religious exercise.

100. Active State Police, Governor's Aides, and the Attorney General actively enforced and interpreted cannabis law matters, under color of law, based on the Slater Group's individual and/or collective interests, rather than on relative compliance with the law, thereby depriving Equal Protection under the 14<sup>th</sup> Amendment to the US Constitution. The 8<sup>th</sup> through 18<sup>th</sup> Defendants, inclusive, i.e. some or all of the Slater Group Defendants, committed the above-described rights breaches under color of law, alone and/or together, in conjunction with then-active public officials, some of whom did so knowingly.

101. In or about 2014–ongoing, the offices of the 1<sup>st</sup> through 4<sup>th</sup> Defendants inclusive (Gen. Kilmartin, Gov. Raimondo, Col. Assumpico, and Director Wall, respectively), and /or their predecessors-in-office and/or agents, deprived the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs of *Free Exercise* and from *Establishment*, by significantly burdening Plaintiffs' religious exercise in conjunction with other breaches of fundamental rights such as *Fair Trial* and *Due Process*, *Equal Protection*, *Excessive Bail*, *Cruel and Unusual Punishment*, and *Unwarranted Search/Seizure*.

102. This amended Complaint now herein alleges what are presumably good faith, neutral-faith or “gray area”-faith rights deprivations by some State Officials occurred in conjunction with, and simultaneous to clearly bad-faith rights violations by other State officials at the behest or on behalf of and/or benefiting the Slater Group (8<sup>th</sup> through 18<sup>th</sup>) Defendants.

### GROUP 3 CONCLUSION

103. The Slater Group Defendants, 8 through 18, are tied to the nexus of rights deprivations against the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs Rev. Drs. Armstrong and Gordon, because Slater Group Defendants, in concert with the 1<sup>st</sup> Defendant Gen Kilmartin and the State Police (and/or elements or agents thereof such as Maj. O’Brien) caused or effected:

- A. unequal protection of law (relative to themselves as cannabis dealers, and/or to wine-Communion churches); and
- B. Deprivation of *Free Exercise* rights in conjunction with the deprivation of other fundamental rights such as *Due Process*, *Fair Trial*, and/or *Equal Protection*.

### **GROUP 4: Post-Arrest Rights Breaches Prison and Bail Officials and Process Abuses by Defendant’s Counsel**

#### GROUP 4 INTRODUCTION

104. This final of 4 Defendants' Groups relates to pre-trial rights breaches, especially systemic abuse of process (concurrent to burdens to the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs' religious exercise) committed even after the original filing of this case, and after the criminal arrests. This grouping of further rights breaches consists of stolen/blocked Court filings, punitive jail and bail, and repeated willful misleading of Courts by 1<sup>st</sup> Defendant's counsel/agents, as detailed immediately below. The pattern of rights abuses in these contexts are so serious that even on their own, they would be grave, but here, they occurred in conjunction with many other such rights breaches.

#### Punitive Psychiatric Segregation

105. Shortly after arrest, on or about July 19<sup>th</sup> 2016, agents of the 4<sup>th</sup> Defendant, Dir. Wall, punitively placed both the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs in psychiatric segregation cells.

106. The 2<sup>nd</sup> Plaintiff was punished in this way for insistently requesting means (paper, pen, and envelope) to promptly file *habeas* and communicate with his family in order to coordinate defense and related personal matters, since Rev. Dr. Gordon was unable to obtain help and yet institutional rules and publications demand no-cost access to the Courts, and that inmates not borrow materials (to avoid rape).

107. The punitive nature of the “psychiatric” confinement can also be seen in the way the 2<sup>nd</sup> Plaintiff was denied access to his legal papers, as well as toilet paper, soap, and any running water (including the ability to flush the toilet) for over 24 hours. When a female prison psychological staff member was asked why toilet paper was denied, she said it was because inmates sometimes try to choke themselves on toilet paper -- but the 2<sup>nd</sup> Plaintiff was not denied his boxer shorts, which he was forced to abandon after using in lieu of toilet paper and left atop the toilet bowl in order to quell smell in lieu of the ability to flush. Corrections Officers under the Command of the 4<sup>th</sup> Defendant Director Wall did not flush the toilet when asked, claiming to be unable to but for at special times.

108. The identical timing of the 1<sup>st</sup> Plaintiff’s segregation in psychiatric incarceration strongly suggests that it, too was punitive.

109. The use of punitive psychiatric segregation, especially in the context of denying access to legal papers or blocking communication represents a serious violation of *Free Speech, Due Process/Fair Trial*, and/or protections against *Excessive Bail* and/or *Cruel and Unusual Punishment*.

Stolen/Blocked Habeas Filings

110. On or about July 21, 2016, still unable to get pen, paper or envelope from the Corrections Officers, the 2<sup>nd</sup> Plaintiff, Rev. Dr. Gordon risked prison rape (according to the institutional

safety literature) by borrowing the objects from other detainees, for the purpose of attempting to file an emergency *habeas* petition to the RI Supreme Court and contacting his family in order to secure procedural help. The *habeas* petition was placed in an envelope prominently marked “EMERGENCY HABEAS PETITION” and addressed to the RI Supreme Court, and had no stamp since prominently displayed institutional rules stated that there was no cost for Court mail.

111. On or about July 26<sup>th</sup>, 2016, Corrections Officials returned the 2<sup>nd</sup> Plaintiff’s *habeas* petition with a written note saying that free postage was denied due to funds available in the 2<sup>nd</sup> Plaintiff’s inmate account (regardless of the fact that no postage was needed, and regardless of the fact that no stamp purchase opportunity had occurred during which postage could have been purchased).

112. This represents a direct violation not only of the 4<sup>th</sup> Defendant Director Wall’s institutional rules, but of *Free Speech, Fair Trial* and *Due Process*. In fact, a stolen or unlawfully blocked *habeas* petition is so serious, it is an abuse of process unto itself, and regardless of the petition’s relative chances of success, the delay of its acceptance or even rejection by a Court delays the petitioner’s ability to take next steps such as filing in a higher Court.

Process Abuses By Defense Counsel

113. Next are detailed 3 separate instances, post-arrest, of the State's attorneys willfully misleading this Federal District Court as well as the Rhode Island 3<sup>rd</sup> District Court Kent County bail Court on 2 occasions, and/or otherwise abusing process against the 1<sup>st</sup> and/or 2<sup>nd</sup> Plaintiffs. Where fuzzily-intended errors, oversights and corner-cuttings sometimes occur against a party in normal litigation, slight correction is appropriate and readily-enough available, but in these circumstances, with widespread rights abuses attributed to what are essentially several rings of crooked lawmen, repeated process abuse patterns, in proceedings themselves, take on a much more ominous tone. The various instances and manner of this process abuse by Counsel are described immediately below.

#### DELIBERATELY MISLEADING THE STATE DISTRICT COURT

114. On August 02, 2016, in Rhode Island 3<sup>rd</sup> District Court, Kent County, in bail proceedings, the 1<sup>st</sup> Defendant Gen. Kilmartin's agent Special Attorney General Michael White deliberately told a bail proceeding Court that the 1<sup>st</sup> Plaintiff has a 2004 Georgia (GA) felony criminal conviction for cannabis, but deliberately declined to tell the Court that the offense had been Pardoned, despite knowing this. He cited uncertainty as to whether GA clemency standards (some of the toughest in the nation) were similar enough to RI's to be comparable, without similar certainty as to whether felony cannabis convictions are likewise harmonized between GA and RI (they are not).

#### UNLAWFULLY ATTEMPTING TO CHANGE BAIL CONDITIONS IN A LIFE-THREATENING MANNER

115. On or about shortly after the August 02 2016 bail hearings, the Bail Office in conjunction with the State of RI attempted to threaten or harm 1<sup>st</sup> Plaintiff Rev. Dr. Armstrong's life, by trying to add to excessive bail conditions (well beyond those already agreed to on August 02 2016) which unequally (relative to others on Bail and/or otherwise similarly situated) denied lawful life-saving medicine for a life-threatening condition affecting the 1<sup>st</sup> Plaintiff and on account of which she is lawfully able to use that medicine.

116. Ironically, not even a conviction on felony criminal charges would deprive the 1<sup>st</sup> Plaintiff Rev. Dr. Armstrong's statutory right to that life-saving lawful medicine, and yet the 1<sup>st</sup> Defendant, and/or his agents on the Attorney General's staff, purport to be able to deny that right to her while she is on bail -- even while the 1<sup>st</sup> Defendant Attorney General and/or the State allow the right to others in her shoes. This represents an unlawful restriction of the 1<sup>st</sup> Plaintiff's *Right to Life* (14<sup>th</sup> Amendment), as well as to *Equal Protection, Due Process/Fair Trial* and the Freedom from *Excessive Bail* and *Cruel and Unusual Punishment*. This process abuse occurred *even after* the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs sought time extension to cope with the previous series of Defense process abuses.

ABUSING PROCESS IN THE MATTER OF CONTESTED BAIL  
CONDITIONS

117. Worsening the State's position regarding the 1<sup>st</sup> Plaintiff's position about medicine on bail, the 1<sup>st</sup> Defendant's agent, Michael White again, on or about Oct 25 2016 filed an argument on

behalf of the State and/or 1<sup>st</sup> Defendant in the matter, which he **served upon the 1<sup>st</sup> Plaintiff only after the relevant hearing**, thereby abusing process in the matter of life-saving medicine rights test. This process abuse, too, like the matter of the unlawfully and unequally denied medicine, occurred **even after** the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs sought time extension to cope with the previous series of Defense process abuses.

TELLING MUTUALLY-EXCLUSIVE STORIES TO THE STATE AND  
FEDERAL COURTS ON THE ISSUE OF DELAY.

118. As the Federal District Court was made aware in the previous October 23 2016 Plaintiffs' motion for amendment time extension in lieu of by Defense consent, 1<sup>st</sup> Defendant's counsel clearly misled the Court as to when the State was Served the case.

ERRATIC CUTOFF OF PRE-TRIAL SETTLEMENT CONTACT

119. On or about October 10 2016, 1<sup>st</sup> Defendant's counsel or agent reached out in privileged negotiation attempt to the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs, then, in the context of declining alternative dispute resolution, cut off email contact to just the 2<sup>nd</sup> Plaintiff and would not, when asked by the 1<sup>st</sup> Plaintiff, explain why. While this may not be a process abuse in and of itself, it is a troubling sign in view of the other peculiar pre-trial conduct of the State, in particular the agents and/or counsel of 1<sup>st</sup> Defendant Attorney General Kilmartin.

#### GROUP 4 CONCLUSION

120. The State's handling of the 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs, in jail, bail and other proceedings, since the filing of this complaint is firmly tied into the nexus of both unequal protection (relative to wine-Communing churches and/or police cannabis dealers) and also especially concurrent religious-and-other-rights breaches. None of the abuses of process or other fundamental rights attributed to these Defendants in this context can be viewed alone, in a vacuum, as just a minor blip, when so many have occurred, so rapid fire, in the context of apparent police corruption. Whether or not the abuses of process are deliberate (and some surely are) the law says they are to be treated that way where they are combined with religious exercise burden.

#### CONCLUSION

121. This concludes the factual basis of this amended action for protective injunction and unspecified Damages against the Defendants. In the preceding pages, a portrait has been painted of a ring of retired and active lawmen, for whom different laws have applied than those written, and for whom written laws are applied differently than for others.

122. The complained-of lawmen deployed increasingly familiar color of law tactics to intimidate for their own enrichment, using a pattern where newfound money making opportunity was paired with simultaneous supralegal parings-down of related public rights.

**REMEDIES SOUGHT**

123. The 1<sup>st</sup> and 2<sup>nd</sup> Plaintiff seek unspecified damages jointly and severally against the Defendants. Pre-claim settlement is welcome but can hardly be offered enthusiastically in the chilling circumstances. The form of protective injunctive Orders sought generally are to Stay and Dismiss the ongoing State Court criminal prosecution, return the Missionary Painting, restore other property as best as possible and likewise compensate for irremediable harms, and especially to stop molesting the exercise of the Plaintiffs' religion. Precise Order format reasonably awaits further determination of relevant factual and legal issues.

Rev. Dr. Anne Armstrong

Rev. Dr. Alan Gordon

\_\_\_\_\_ and \_\_\_\_\_  
[signature] [date] [signature] [date]

99 Hudson Pond Road

99 Hudson Pond Road

West Greenwich, Rhode Island 02817

West Greenwich, Rhode Island 02817

401-304-6543

401-304-6020

annearmstrongri@gmail.com

judges1412@gmail.com